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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,410	05/15/2006	Robert Alberta Arnoldus Ponsen	NL 031329	7909
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EXAMINER				
PHAM, VAN T				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/579,410

Applicant(s)PONSEN, ROBERT ALBERTA
ARNOLDUS**Examiner**

VAN T. PHAM

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/15/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/15/2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Specification

The abstract of the disclosure is objected to because line 17 has phase “DVD+R9” should be changed to “DVD+RW. Correction is required. See MPEP § 608.01(b).

Drawings

The drawings are objected to because the “black boxes” are required to be descriptive labeled. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Schreurs et al. (US 2003/0058765).

Regarding claim 1, Schreurs discloses a device for recording recordable media belonging to at least one recordable media type, comprising:

discrimination unit for assessing, upon receipt of a medium, if the medium is a recordable medium (see Fig. 1 (120, 130) and fig. 2 (201) and [0034]),

a reading unit for reading user-information present on the medium (see Fig. 1, element 120),

a table of recordable media types, the table having a set of supported access functionalities for each recordable media type (see Fig.1 (160)),

a recognition unit for recognizing, when the discrimination unit has assessed that the medium is a recordable medium, the recordable media type to which the recordable medium belongs (see Fig. 1, element 140 and 160, Fig. 2, elements 208, [0023]),

an enabling unit for enabling the set of supported access functionalities for the recordable media type to which the recordable medium belongs (see Fig. 1, elements 140 and 160), and

a user-information recovery unit for instructing the reading unit to read the user-information present on the recordable medium, upon failure of the recognition unit to recognize the recordable media type present in the table to which the recordable medium belongs (see Fig. 1 element 160, Fig. 2, elements 206, 208).

Regarding claim 2, discloses a device as claimed in claim 1, wherein the table comprises recordable DVD media types.

Regarding claim 4, see rejection above of claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schreurs et al. (US 2003/0058765).

Regarding claim 3, Schreurs discloses a device as claimed in claim 1, wherein the table comprises recordable CD-R, CD-R/W, DVD-R, DVD-R/W media types (see [0003]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the table comprises recordable DVD+R and DVD+R/W media types in Schreurs, the motivation being in order to be able to use variety of media types.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schreurs et al. (US 2003/0058765) in view of Taylor (US 20050154682).

Regarding claim 3, Schreurs discloses a device as claimed in claim 1, wherein the table comprises recordable CD-R, CD-R/W, DVD-R, DVD-R/W media types (see [0003]).

Taylor discloses a system for recording recordable DVD media types DVD+R, DVD-R, DVD+R/W, DVD-RW (see Fig. 1, [0025], [0030], [0044]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the table comprises recordable DVD+R and DVD+R/W media types in Schreurs, the motivation being in order to have a number of formats (see Taylor [0025]).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schreurs et al. (US 2003/0058765) in view of Miyake et al. (US 2001/0053114).

Regarding claim 3, Schreurs discloses a device as claimed in claim 1, wherein the table comprises recordable CD-R, CD-R/W, DVD-R, DVD-R/W media types (see [0003]).

Miyake discloses a system for recording recordable DVD media types DVD+R, DVD-R, DVD+R/W, DVD-RW (see Figs. 55, 66).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the table comprises recordable DVD+R and DVD+R/W media types in Schreurs, the motivation being in order to be able to use variety of media types.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Taylor US 20050154682.

Oh et al. US 6931654.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN T. PHAM whose telephone number is (571)272-7590. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne R. Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VAN T PHAM/
Examiner, Art Unit 2627

/Wayne Young/
Supervisory Patent Examiner, Art Unit 2627